



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

AUG 11 2000

Mr. Steven E. King
Occidental Chemical Corporation
5005 LBJ Freeway
P.O. Box 809050
Dallas, Texas 78580-9050

Dear Mr. King:

In response to your letter dated August 10, 2000, enclosed is a copy of the Third Revision of DOT-E 9233 which has been extended to July 31, 2002 for Occidental Chemical Corporation.

This extension does not resolve proceedings which may be initiated by the Office of Hazardous Materials Enforcement, Research and Special Programs Administration, concerning the operations conducted between May 31, 2000 and the issue date of your extension. Those operations conducted after the expiration date and before this extension were not in compliance with the Hazardous Materials Regulations, and no longer authorized by the exemption.

Sincerely,

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials
Exemptions & Approvals

Enclosure



U.S. Department
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400 Seventh St., S.W.
Washington, D.C. 20590

DOT-E 9233
(THIRD REVISION)

EXPIRATION DATE: July 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Occidental Chemical Corporation
Dallas, Texas
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of dry chromic acid, Division 5.1 material in a non-DOT specification, 900 cubic foot, two-compartment, sift-proof covered hopper type tank motor vehicle. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242.
5. BASIS: This exemption is based on the application of Occidental Chemical Corporation dated August 10, 2000, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Chromic acid, solid	5.1	NA1463	II
Chromium trioxide, anhydrous	5.1	UN1463	II

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7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification 900 cubic foot, two-compartment, sift-proof covered hopper type tank motor vehicle. The vehicle is equipped with a sparger system to slurry the dry chromic acid into a 60% solution, after delivery, for unloading directly into production storage tanks. The tank unit is constructed of mild carbon steel of 3/16-inch minimum thickness, as shown in applicant's Drawing E-3699, dated December 18, 1983, which also details the top-loading hatches, exterior piping and sparger system of the proposed hopper vehicle. Each compartment may be lined with a high baked phenolic resin lining material which will not react violently with dry chromic acid even under fire conditions.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.10. MODAL REQUIREMENTS: A current of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: sln